



Arizona Medical Board

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October 21, 2010

Jesse D. Cohen, M.D.
333 E. Virginia Ave., Ste. 210
Phoenix, AZ 85004-1210

**RE: Jesse D. Cohen, M.D.
Case # MD-10-0066A**

Dear Dr. Cohen:

The purpose of this letter is to inform you that during the course of the October 13, 2010 public meeting, the Arizona Medical Board (Board) reviewed the above-referenced complaint and all pertinent evidence and information gathered during the investigation. At the conclusion of its review, the Board voted to issue you this Advisory Letter for incorrectly filling out a prescription for Morphine in another family member's name and a Non-disciplinary CME Order requiring the physician to obtain 10 hours of Board staff pre-approved Category I CME in prescribing narcotics and pain medication, to be completed in six months. The CME hours shall be in addition to the hours required for the biennial renewal of medical licensure. The violation was a one-time occurrence that does not rise to the level of discipline.

An advisory letter is a non-disciplinary action, and is not subject to review by either the Board or the Courts. See *Murphy v. Board of Medical Examiners of the State of Arizona*, 190 Ariz. 441, 949 P.2d 530 (App. 1997). However, you may file a written response to the letter with the Board within thirty days after its receipt A.R.S. § 32-1451(E)(3). Please be aware that Board staff will only post a narrative response by the licensee or the licensee's legal representative on the Board's website. Accordingly, please do not include medical records or third party opinions as part of your response. Also, please remember that you are responsible for maintaining the confidentiality of the patient's identity. Finally, Board staff requests that the response not disclose the name of the medical consultant who reviewed the case or the name of any other healthcare provider associated with the matter in question.

If timely received, the response will be attached to the advisory letter and maintained in your permanent file. The written response will also be hyperlinked to your profile on the Board's website.

Sincerely,

Amanda Schwabe

Amanda Schwabe

Board Coordinator

E-mail: boardcoordinator@azmd.gov

Ph: (480) 551-2712

Fx: (480) 551-2705

cc: Permanent File

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **JESSE D. COHEN, M.D.**

4 Holder of License No. **9868**
5 For the Practice of Allopathic Medicine
6 In the State of Arizona.

Case No. MD-10-0066A
ORDER FOR CONTINUING MEDICAL
EDUCATION
(NON-DISCIPLINARY)

7
8 At its public meeting on October 13, 2010, the Arizona Medical Board ("Board") voted to
9 issue Jesse D. Cohen, M.D. ("Physician") a non-disciplinary Continuing Medical Education (CME)
10 Order for incorrectly filling out a prescription for Morphine in another family member's name in
11 violation of A.R.S. §§ 32-1401(27)(e). The Board ordered Physician to obtain 10 hours of Board
12 staff pre-approved Category I CME in prescribing narcotics and pain medication, within six months
13 pursuant to A.R.S. §32-1451(E)(2). The CME hours shall be in addition to the hours required for
14 the biennial renewal of medical licensure. This matter does not rise to the level of discipline.

15 **ORDER**

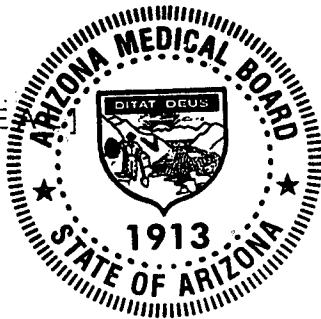
16 IT IS HEREBY ORDERED that Physician shall, within six months, obtain 10 hours of Board
17 approved non-disciplinary Category I CME in prescribing narcotics and pain medication pursuant
18 to A.R.S. §32-1451(E)(2) and provide Board Staff with satisfactory proof of attendance. The CME
19 hours shall be in addition to the hours required for biennial renewal of his medical license.
20 Respondent's failure to complete the CME will subject him to future disciplinary action by the
21 Board. A.R.S. § 32-1401(27)(r).

22 **RIGHT TO APPEAL**

23 **NOTICE IS HEREBY GIVEN** that, pursuant to A.R.S. § 41-1092.03, any person aggrieved by this
24 decision may apply to the Board, in writing, within thirty (30) days of receipt and request a public
25 hearing with respect to this order. You may request a hearing by filing a notice of appeal. The

1 notice of appeal must be filed with the Board's Executive Director, and should include your name,
2 address, the action being appealed, and a concise statement of the reasons for the appeal. If you
3 request a public hearing, the hearing will be scheduled within sixty (60) days of receipt of your
4 request. If you request a public hearing, you also have the right to request an informal settlement
5 conference by filing a written request with the Board, pursuant to A.R.S. § 41-1092.06, no later than
6 twenty (20) days before the scheduled hearing. The conference will be held within fifteen (15) days
7 after receipt of your request. Please note that you waive any right to object to the participation of
8 the Board's representative in the final administrative decision of the matter if it is not settled at the
9 conference.

10 DATED this 21ST day of October, 2010.



ARIZONA MEDICAL BOARD

13 By [Signature]
14 LISA S. WYNN
15 Executive Director

16

17 **ORIGINAL** of the foregoing filed this
21ST day of October, 2010 with:

18 Arizona Medical Board
19 9545 East Doubletree Ranch Road
20 Scottsdale, Arizona 85258

21 **EXECUTED COPY** of the foregoing
22 Mailed by US Mail this 21ST day October 2010 to:

23 Jesse D. Cohen, M.D.
24 Address of Record
25 [Signature]